

SENATE BILL 616

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2004 Regular Session
4r2299
CF 4r2298

By: **Senators Conway and McFadden**
Introduced and read first time: February 6, 2004
Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: April 5, 2004

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City Sheriff - Employees - Salaries**

3 FOR the purpose of altering the salaries of certain employees of the Baltimore City
4 Sheriff; altering certain surcharges on filing fees in the District Court in
5 Baltimore City; requiring certain revenue to be remitted quarterly to the
6 Baltimore City Director of Finance and used for a certain purpose; providing for
7 the funding of salaries of certain employees of the Baltimore City Sheriff; and
8 generally relating to the salaries of employees of the Baltimore City Sheriff.

9 BY repealing and reenacting, with amendments,
10 Article - Courts and Judicial Proceedings
11 Section 2-309(d) and 7-301(c)
12 Annotated Code of Maryland
13 (2002 Replacement Volume and 2003 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Courts and Judicial Proceedings**

17 2-309.

18 (d) (1) (i) In Baltimore City, the Sheriff shall receive an expense
19 allowance of \$1,000 per year and a salary of:

- 20 1. \$70,000 in calendar year 2002;
- 21 2. \$70,000 in calendar year 2003;

- 1 3. \$72,000 in calendar year 2004;
2 4. \$72,000 in calendar year 2005; and
3 5. \$74,000 in calendar year 2006 and thereafter.

4 (ii) The Sheriff:

5 1. Shall appoint an undersheriff or chief deputy sheriff, one
6 assistant sheriff, two deputy sheriff majors, two deputy sheriff captains, four deputy
7 sheriff lieutenants, four deputy sheriff sergeants, one secretary sheriff, and one fiscal
8 clerk sheriff; and

9 2. May appoint a total of 83 deputy sheriffs.

10 (iii) 1. Except for deputy sheriffs, DEPUTY SHERIFF SERGEANTS,
11 AND DEPUTY SHERIFF LIEUTENANTS, salaries for these employees shall be set by the
12 Secretary of Budget and Management.

13 2. Salaries for deputy sheriffs shall be set at a rate not less
14 than the salary equivalent to grade [12] 15 of the State pay scale.

15 3. SALARIES FOR DEPUTY SHERIFF SERGEANTS SHALL BE
16 SET AT A RATE NOT LESS THAN THE SALARY EQUIVALENT TO GRADE 16 OF THE
17 STATE PAY SCALE.

18 4. SALARIES FOR DEPUTY SHERIFF LIEUTENANTS SHALL BE
19 SET AT A RATE NOT LESS THAN THE SALARY EQUIVALENT TO GRADE 18 OF THE
20 STATE PAY SCALE.

21 (iv) In addition to any other compensation received, each deputy
22 sheriff shall receive an expense allowance of \$200 annually for:

23 1. Ammunition for practice sessions at the range;

24 2. Clothing allowance to defray the cost of dry cleaning and
25 maintaining the clothing worn while on duty; and

26 3. The purchase and maintenance of other items necessary to
27 fulfill duties that currently are not furnished by the Baltimore City Sheriff's
28 department.

29 (v) A deputy sheriff who uses a personal automobile is entitled to a
30 monthly automobile allowance at the same rate paid to other State employees. Any
31 Sheriff who is assigned a city-owned automobile may not receive the monthly
32 automobile expense allowance.

33 (vi) The Sheriff's office shall also have assistants at the
34 compensation provided for in the annual ordinance of estimates of Baltimore City.
35 Provisions shall also be made in the ordinance for the expenses of the office of the
36 Sheriff, including the purchase and maintenance of motor vehicles.

1 (vii) The Mayor and City Council of Baltimore have the same power
 2 with respect to the salaries of the office of the Sheriff as they have under the city
 3 charter with respect to the salaries of all municipal departments.

4 (viii) Employees of the Sheriff's office, except the Sheriff, shall be
 5 selected according to the provisions of the State Personnel and Pensions Article.

6 (2) The Mayor and City Council shall pay monthly to the Sheriff of
 7 Baltimore City one twelfth of the amount provided in the ordinance of estimates for
 8 the expenses of the Sheriff's office. Within 30 days after June 30th in each and every
 9 year the Sheriff of Baltimore City shall pay to the Mayor and City Council of
 10 Baltimore any of the unexpended expense funds advanced during the preceding year
 11 and render a detailed account to the Mayor and City Council of Baltimore of all
 12 expense funds received and expended by him. The Mayor and City Council of
 13 Baltimore shall reimburse the State of Maryland for the administrative costs
 14 incurred because the employees of the Sheriff's office of Baltimore City are in the
 15 State Personnel Management System.

16 (3) During the course of his employment, any deputy sheriff of Baltimore
 17 City may ride in Baltimore City on public transportation of the Maryland Transit
 18 Administration without paying any fare if he shows proper identification regarding
 19 his position as a deputy sheriff.

20 7-301.

21 (c) (1) The filing fees and costs in a civil case are those prescribed by law
 22 subject to modification by law, rule, or administrative regulation.

23 (2) ~~(4)~~ [The] EXCEPT AS PROVIDED IN ~~SUBPARAGRAPH (II) OF THIS~~
 24 PARAGRAPH (3) OF THIS SUBSECTION, THE Chief Judge of the District Court shall
 25 assess a surcharge that:

26 ~~{(i)}~~ ~~4-~~ May not be more than \$2 per civil case; and

27 ~~{(ii)}~~ ~~2-~~ Shall be deposited into the Maryland Legal Services
 28 Corporation Fund established under § 7-408 of this title.

29 ~~(H)~~ ~~4-~~ (3) (I) IN ADDITION TO THE SURCHARGE ASSESSED
 30 UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE CHIEF JUDGE OF THE DISTRICT
 31 COURT SHALL ASSESS A SURCHARGE FOR SUMMARY EJECTMENT CASES FILED IN
 32 BALTIMORE CITY THAT MAY NOT BE MORE THAN \$7 ~~\$3~~ PER CASE.

33 ~~2-~~ (II) THE REVENUE GENERATED FROM THE SURCHARGE
 34 ON FILING FEES FOR SUMMARY EJECTMENT CASES COLLECTED BY THE DISTRICT
 35 COURT IN BALTIMORE CITY UNDER ~~ITEM 1 OF THIS~~ SUBPARAGRAPH (I) OF THIS
 36 PARAGRAPH SHALL BE REMITTED QUARTERLY TO THE BALTIMORE CITY DIRECTOR
 37 OF FINANCE. THE REVENUE SHALL BE USED TO FUND SALARY INCREASES FOR THE
 38 BALTIMORE CITY DEPUTY SHERIFFS, DEPUTY SHERIFF SERGEANTS, AND DEPUTY
 39 SHERIFF LIEUTENANTS UNDER § 2-309(D) OF THIS ARTICLE.

1 (~~3~~) (4) The Court of Appeals may provide by rule for waiver of
2 prepayment of filing fees and other costs in cases of indigency.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 July 1, 2004.